

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/020,173

REMARKS

Claims 1-22 have been examined. Claims 1-3, 4, 6-9 and 14-20 have been rejected under 35 U.S.C. § 102(b), and claims 4, 5, 10-13, 21 and 22 have been rejected under 35 U.S.C. § 103(a).

Preliminary Matters

The Examiner has objected to the disclosure due to minor informalities. Accordingly, Applicant has amended the specification, and submits that such amendments overcome the objection.

Also, the Examiner maintains that it is not clear why the numerous patents relating to filter technology were cited in the March 22, 2002 Information Disclosure Statement. However, Applicant submits that such patents were submitted in order to fully comply with Applicant's duty of disclosure under 37 C.F.R. § 1.56.

Rejections under 35 U.S.C. § 102(b) in view of U.S. Patent No. 5,448,670 to Blew et al. (“Blew ‘670”)

Claims 1-3, 6-9 and 14-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Blew ‘670.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites a bundle support member disposed inside an optical fiber cavity to limit axial movement of optical fibers. Further, at least one end of the bundle support member is securable to a respective splice box.

The Examiner maintains that the central support member 36 of Blew '670 discloses the claimed bundle support member (Fig. 6; col. 7, lines 64-66). However, Applicant submits that Blew '670 fails to teach or disclose that any ends of bundle support member 36 are able to be secured (i.e. securable) to a splice box.

Accordingly, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests that the Examiner reconsider and withdraw the rejection.

B. Claims 2, 3, 6, 7, 8 and 9

Since claims 2, 3, 6, 7, 8 and 9 are dependent, either directly or indirectly, upon claim 1, Applicant submits that such claims are patentable over the cited reference.

C. Claim 14

Since claim 14 contains features which are analogous to the features recited in claim 1, Applicant submits that claim 14 is patentable over the cited reference for at least analogous reasons as presented above.

D. Claims 15, 16, 17, 18, 19 and 20

Since claims 15, 16, 17, 18, 19 and 20 are dependent, either directly or indirectly, upon claim 14, Applicant submits that such claims are patentable at least by virtue of their dependency.

Rejections under 35 U.S.C. § 103(a) over Blew in view of U.S. Patent No. 4,709,983 to Plessner et al. (“Plessner”) and U.S. Patent No. 5,390,273 to Rahman et al. (“Rahman”)

Claims 4, 5, 10-13, 21 and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Blew ‘670, in view of Plessner and Rahman. However, since claims 4, 5, 10-13, 21 and 22 are dependent upon either claim 1 or claim 14, and Plessner and Rahman fail to cure the deficient teachings of Blew ‘670, Applicant submits that such claims are patentable at least by virtue of their dependency.

Rejections under 35 U.S.C. § 102(b) in view of JP 2-238412 to Misono et al. (“Misono”)

The Examiner has rejected claims 1 and 4 as being anticipated by Misono. Please note, although the Examiner recited claim 4 in the rejection, Applicant assumes the Examiner intended to recite claim “14” instead of claim “4”, since the Examiner recites the string-like limitation of claim 14 in the rejection.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites a bundle support member disposed inside an optical fiber cavity to limit axial movement of optical fibers. Further, at least one end of the bundle support member is securable to a respective splice box.

The Examiner maintains that the tension member 1 of Misono discloses the claimed bundle support member (Fig. 3; English Abstract). However, Applicant submits that Misono fails to teach or disclose that any ends of tension member 1 are able to be secured (i.e. securable) to a splice box.

Accordingly, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests that the Examiner reconsider and withdraw the rejection.

B. Claim 14

Since claim 14 contains features which are analogous to the features recited in claim 1, Applicant submits that claim 14 is patentable over the cited reference for at least analogous reasons as presented above.

References Made of Record

Fitz (U.S. Patent No. 6,236,789), Gaillard et al. (U.S. Patent No. 6,483,971), Anderson et al. (U.S. Patent No. 5,905,834), Pfandl et al. (U.S. Patent No. 5,761,361), Blew (U.S. Patent No. 5,345,526) and Greveling et al. (U.S. Patent No. 5,157,752) have been made of record by the

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Examiner on page 4 of the Office Action. However, such references do not teach or suggest the claimed central tube cable, and have not been relied upon in a prior art rejection. Since such references have not been relied upon in a prior art rejection, Applicant submits that no response to the references is necessary at this time.

Newly Added Claims

Applicant has added claim 23 to provide more varied protection for the present invention.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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